

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

United States of America,  
Plaintiff,

v.

One 2023 Nissan Rogue, VIN:  
JN8BT3BA1PW404525,  
Defendant.

No. CV-24-00454-TUC-BGM

**ORDER**

WHEREAS, on September 17, 2024, the government filed the Complaint for Forfeiture In Rem against the defendant 2023 Nissan Rogue, VIN: JN8BT3BA1PW404525 (hereinafter “Defendant Vehicle”);

WHEREAS, on September 19, 2024, the government properly noticed putative claimants, Jennifer Duncan, Josephine Duncan, care of Nicholas Loncar, Esq., and Marc Duncan, by mailing copies of the Complaint for Forfeiture In Rem, Warrant of Arrest In Rem and Notice of Forfeiture Action via first class prepaid postage, certified mail, return receipt requested;

WHEREAS, the government complied with the notice and publication requirements of Rule G(4) Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions;

WHEREAS, no appearance, claim, answer or motion under Rule 12 of the Federal Rules of Civil Procedure was filed as required by Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions and Title 18, United

1 States Code, Section 983(a)(4) by putative claimants Jennifer Duncan, Josephine Duncan,  
2 or Marc Duncan, or any other person as to the Defendant Vehicle;

3 WHEREAS, Clerk of the Court entered default as to Jennifer Duncan, Josephine  
4 Duncan, and Marc Duncan, putative claimants; and

5 WHEREAS, it appearing to the Court that the Defendant Vehicle was used in the  
6 commission of a violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii),  
7 (v)(I), and (B)(i), that is, the transportation or attempted transportation of an alien within  
8 or into the United States, and is forfeitable pursuant to Title 8, United States Code,  
9 Section 1324(b)(1).

10 Upon review of Magistrate Judge Bruce G. Macdonald's Report and  
11 Recommendation (Doc. 18) and no objections filed,

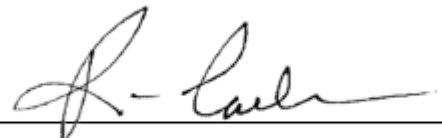
12 IT IS ORDERED the Report and Recommendation is ADOPTED (Doc. 18) and  
13 the Motion for Default Judgment GRANTED (Doc. 17).

14 IT IS FURTHER ORDERED pursuant to Rule 55(b)(2) of the Federal Rules of  
15 Civil Procedure, that a default judgment be, and hereby is, entered for the United States  
16 of America against the defendant 2023 Nissan Rogue, VIN: JN8BT3BA1PW404525;

17 IT IS FURTHER ORDERED that all right, title and interest in Defendant 2023  
18 Nissan Rogue, VIN: JN8BT3BA1PW404525, is hereby condemned, forfeited to and  
19 vested in the United States of America; and

20 IT IS FURTHER ORDERED that Defendant 2023 Nissan Rogue, VIN:  
21 JN8BT3BA1PW404525, forfeited to the United States of America herein shall be  
22 disposed of according to law.

23 Dated this 4th day of March, 2025.

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27 Honorable Raner C. Collins  
28 Senior United States District Judge